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12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15

16 JEFFREY LUM, *et al.*,

17 Plaintiffs,

18 v.

19 SERVICE EMPLOYEES INTERNATIONAL
20 UNION, LOCAL 521, *et al.*,

21 Defendants.

No. 14-CV-05230 LHK

**STIPULATED REQUEST FOR
EXTENSION OF TIME TO RESPOND
TO COMPLAINT; ~~PROPOSED~~
ORDER THEREON**

[LOCAL RULE 6-1]

Hearing Date: N/A
Time: N/A
Courtroom: N/A
Judge: Hon. Lucy H. Koh

STIPULATED REQUEST FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT

The parties to the above-captioned case, by and through their undersigned counsel of record, hereby respectfully request that Defendants Service Employees International Union, Local 521 (hereinafter “SEIU Local 521”), Alan Minato,¹ Controller-Treasurer of the County of Santa Clara (hereinafter “Controller-Treasurer Minato”), and County of Santa Clara (hereinafter “County”) be granted until and including February 6, 2015, to respond to Plaintiffs’ Complaint.

In support of that request, the parties state as follows:

1. The responsive pleading on behalf of Controller-Treasurer Minato is currently due January 16, 2015. The requested extension until and including February 6, 2015 will afford Controller-Treasurer Minato a twenty-one (21) day extension of time to respond to the Complaint.

2. The responsive pleading on behalf of the County is currently due January 12, 2015. The requested extension until and including February 6, 2015 will afford County a twenty-five (25) day extension of time to respond to the Complaint.

3. The responsive pleading on behalf of SEIU Local 521 is currently due on January 8, 2015. The requested extension until and including February 6, 2015 will afford Local 521 a twenty-eight (28) day extension of time to respond to the Complaint.

4. No previous extensions of time to respond to the Complaint have been requested or granted in this case.

5. The requested extension of time is necessary because Defendants have either only recently secured, or are currently in the process of securing, counsel to represent them in this case, Plaintiffs’ Complaint contains numerous factual allegations that counsel must investigate in order to prepare responsive pleadings, and Defendants’ counsel have a number of litigation commitments that will require their attention during the month of January.

¹ Former Controller-Treasurer Irene Lui left her official position with the County of Santa Clara after the Complaint in this matter was filed. She has been succeeded in her official capacity as the County of Santa Clara Controller-Treasurer by Alan Minato. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Mr. Minato will be automatically substituted for Ms. Lui in his official capacity as Controller-Treasurer for the County of Santa Clara.

6. The requested extension of time will not require the Court to reschedule any pretrial dates previously scheduled in this case.

The foregoing is hereby stipulated among the parties in this action, who respectfully request the Court to grant the extension of time.

Dated: January 5, 2015

GARY, TILL & BURLINGHAM

By: /s/ Steven Burlingham (with permission)
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Dated: January 5, 2015

COUNTY OF SANTA CLARA

By: /s/ Nancy Clark (with permission)
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Dated: January 5, 2015

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~~PROPOSED~~ ORDER

IT IS SO ORDERED

Dated: January 7, 2015



By: HONORABLE LUCY H. KOH
United States District Court Judge

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